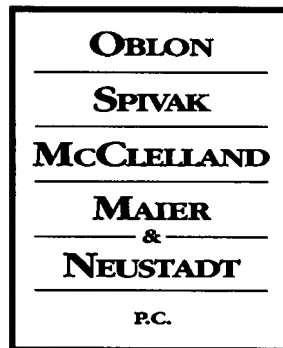




Docket No.: 202720US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

RE: Application Serial No.: 09/776,688

Applicants: Guy COLINART, et al.

Filing Date: February 6, 2001

For: HIGH VOLTAGE RESISTANCE, PARTICULARLY
FOR CURRENT LIMITATION IN A MICROWAVE
PROGRESSIVE WAVE TUBE EMITTER

Group Art Unit: 2832

Examiner: LEE, KYUNG S.

#20

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO PTO COMMUNICATION
COPY OF PTO COMMUNICATION RECEIVED APRIL 15, 2004
COPY OF PTO COVER LETTER PREVIOUSLY FILED JUNE 30, 2003
COPY OF DATE-STAMPED FILING RECEIPT DATED JUNE 30, 2003
COPY OF NOTICE OF ABANDONMENT DATED MAY 19, 2003
COPY OF REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT
COPY OF DATE-STAMPED FILING RECEIPT DATED FEBRUARY 12, 2003
COPY OF CANCELED CHECK NO. 285706 IN THE AMOUNT OF \$494.00
COPY OF AMENDMENT COVER LETTER
COPY OF REQUEST FOR EXTENSION OF TIME (2ND MO.)
COPY OF AMENDMENT W/MARKED-UP COPY

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

Eckhard H. Kuesters
Registration No. 28,870

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\USER\IGHOD\PET WTH ABAN\202720US 2ND PTO CVR LTR.DOC

Gregory J. Maier

Registration No. 25,599

Eckhard H. Kuesters
Registration No. 28,870

202720US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

: ATTN:

Guy COLINART, et al.

: EXAMINER: LEE, KYUNG S.

SERIAL NO.: 09/776,688

: GROUP ART UNIT: 2832

FILED: FEBRUARY 6, 2001

TITLE: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT
LIMITATION IN A MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

RESPONSE TO PTO COMMUNICATION

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

Sir:

In response to the communication mailed from the United States Patent Office on
April 15, 2004, Applicants are resubmitting the papers filed on February 12, 2003 and June
30, 2003 along with copies of date-stamped filing receipts for the same. Accordingly,
Applicants respectfully requests withdrawal of holding of abandonment.

A handwritten signature in cursive script, appearing to read "Gregory J. Maier".

Gregory J. Maier
Registration No. 25,599
Attorney of Record

Customer Number
22850

(703) 413-3000 Phone
(703) 413-2220 Fax
GJM/dgh

I:\USER\DGHOD\PET WTH ABAN\202720US RESP 2 PTO COMM.DOC

Eckhard H. Kuesters
Registration No. 28,870

PATENT & TRADEMARK OFFICE
MAY 17 2004

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an Art Unit into fields at
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Date Case Was Filed
Like:03/15/99

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Number of Cases to
do before Case Above

Operational/Application Status

Currently Installed
3131 Creation Date

Application 09776688 is currently in Status: 161 /ABANDONED -- FAILURE TO
RESPOND TO AN as of 05/16/2003. The application is currently assigned to
LEE, KYUNG Group Art Unit: 2832. The docketed class/subclass is 338/214.000.

AU

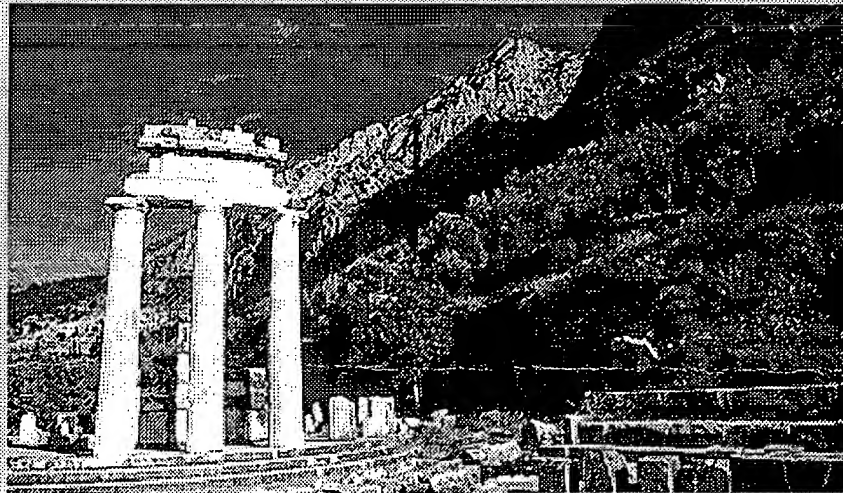
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.

1940 DUKE STREET

ALEXANDRIA VA 22314

Telephone: (703)413-3000

Fax: No Fax #



Team Delphi

RECEIVED: 4/15/04
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: 4/15/04

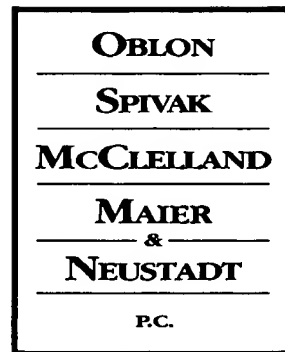
Type of Resp(s): Pet to Revoke due

Due Date(s): 5-15-04



Docket No.: 202720US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/776,688

Applicants: Guy COLINART, et al.

Filing Date: February 6, 2001

For: HIGH VOLTAGE RESISTANCE, PARTICULARLY
FOR CURRENT LIMITATION IN A MICROWAVE
PROGRESSIVE WAVE TUBE EMITTER

Group Art Unit: 2832

Examiner: LEE, KYUNG S.

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR WITHDRAWAL OF ABANDONMENT
COPY OF DATE-STAMPED FILING RECEIPT DATED FEBRUARY 12, 2003
COPY OF AMENDMENT W/MARKED-UP COPY and COVER LETTER
COPY OF REQUEST FOR FOR EXTENSION OF TIME (2 MONTHS)
COPY OF CANCELED CHECK NO. 285706 IN THE AMOUNT OF \$494.00
COPY OF NOTICE OF ABANDONMENT DATED MAY 19, 2003**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier

Registration No. 25,599



22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\USER\IDGHOD\PET WTH ABAN\202720US PTO Cvr. LTR.DOC



3

Dept.: E/M

By: MJS /dgh

OSMM&N File No. 202720US2

Serial No. 09/776,688

In the matter of the Application of: Guy COLINART, et al.

For: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT
LIMITATION IN A MICROWAVE PROGRESSIVE WAVE TUBE EMITTE

Due Date: 7-19-03

The following has been received in the U.S. Patent Office on the date stamped herec

- Letter (cover)
- Request for Withdrawal of Holding of Abandonment
- Copy of Date-Stamped filing receipt dated February 12, 2003
- Copy of Amendment w/Marked-Up Copy and Cover Letter
- Copy of Request for Extension of Time (2 Months)
- Copy of Canceled Check No. 285706 in the Amount of \$494.00
- Copy of Notice of Abandonment dated May 19, 2003

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COPY



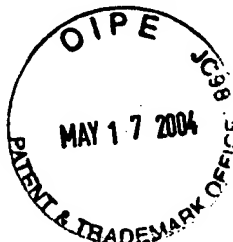
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,688	02/06/2001	Guy Colinart	202720US2	5315

22850 7590 05/19/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314



EXAMINER

LEE, KYUNG S

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED: 5-20-03
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: cnx 5-20-03

Type of Resp(s): Pet to w/D A Band

Due Date(s): 7-19-03

COPY



4m

Notice of Abandonment

Application No.

09/776,688

Examiner

Richard K. Lee

Applicant(s)

COLINART ET AL.


Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


ELVIN ENAD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2810
J/15/03

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

MAY 17 2004

001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Fax Cover Sheet

Date: 28 May 2003

To: Ms. Amy Mahaffey	From: Richard K. Lee
Application/Control Number: 09/776,888	Art Unit: 2832
Fax No.: (703) 413-2220	Phone No.: (703) 306-9060
Voice No.: (703) 413-2828	Return Fax No.:
Re:	CC:
<input checked="" type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> For Comment <input type="checkbox"/> For Reply <input type="checkbox"/> Per Your Request	

Comments:

Please disregard the faxed Notice of Abandonment PTO-1432.

Sorry for the inconvenience. Here is the correct Notice of Abandonment, for Box 1, with Official letter mailed date of September 12, 2002.

RECEIVED
MAY 28 2003

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.

Number of pages 2 including this page

STATEMENT OF CONFIDENTIALITY

This facsimile transmission is an Official U.S. Government document which may contain information which is privileged and confidential. It is intended only for use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copying of this document is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Notice of Abandonment**

Application No.

09/776,688

Examiner

Richard K. Lee

Applicant(s)

COLINART ET AL.

Art Unit

2832

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 9/12/02.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
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 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

202720US2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Guy COLINART, et al.

: EXAMINER: LEE, KYUNG S.

SERIAL NO: 09/776,688

: GROUP ART UNIT: 2832

FILED: FEBRUARY 6, 2001

:

TITLE: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT LIMITATION
IN MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Abandonment dated May 19, 2003, Applicants herewith request withdrawal of said abandonment for the following reasons.

An Office Action was mailed by the Examiner on September 12, 2002, with a shortened statutory period of 3 months, to expire on December 12, 2002. An Amendment (with a marked-up copy) was filed in response to that action, with a Petition for a 2-Month Extension of Time, on February 12, 2003. Enclosed herewith is a copy of the filing receipt, duly date-stamped by the Patent Office on February 12, 2003, evidencing the filing thereof. We are also including a copy of the cancelled Check No. 285706 for the amount of \$494.00 evidencing payment for the 2 Month Extension of Time and Additional Independent Claims. In order to expedite prosecution, Applicants' Attorney is submitting signed copies of the documents indicated above.

It is believed that the above discussion and documents enclosed herewith clearly prove that a response to the Office Action was timely filed, and therefore, the holding of abandonment was issued in error. Accordingly, it is requested the holding of abandonment be withdrawn and that prosecution be resumed in the present application.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier
Registration No. 25,599
Attorney of Record



22850

Tel: (703) 413-3000
Fax: (703) 413-2220
GJM/dgh/jrn



E

Dept.: E/M

OSMM&N File No. 202720US-2

By: GJM:SNS:TJM:psn

Serial No. 09/776,688

In the matter of the Application of: Guy COLINART, et al.

For: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT
LIMITATION IN A MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

✓ Due Date: February 12, 2003

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Dep. Acct. Order Form
- ✓ ☒ Check for \$494.00
- ☐ Cover Letter
- ☐ Amendment w/ Marked-Up Copy
- ✓ ☒ Petition for Extension of Time (2 Months)

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COPY





OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

FIRST UNION NATIONAL BANK
VIENNA, VA
68-760/560

285706
285706
0868

FOUR HUNDRED NINETY-FOUR AND 00/100 DOLLARS

DATE 2/12/2003 AMOUNT \$494.00

COMMISSIONER OF PATENTS & TRADEMARKS

VOID IF NOT CASHED WITHIN 90 DAYS

James S. Sachs
AUTHORIZED SIGNATURE

202720US 2 MO. EXT. ADD'L IND. CLAIMS

DOCKET

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13-10-0001
05-13-5003
13-10-0001
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COLLECTING BANK OFFICE

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COPY

Docket No. 202720US-2

IN RE APPLICATION OF: Guy COLINART, et al.

SERIAL NO: 09/776,688

RCE FILED: August 27, 2002

FOR: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT LIMITATION IN A MICROWAVE
PROGRESSIVE WAVE TUBE EMITTER



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Marked-Up Copy, Petition for Extension of Time (2 Months)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	29	MINUS	30	0	x \$18 =	\$0.00
INDEPENDENT	4	MINUS	3	1	x \$84 =	\$84.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$280 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$84.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$84.00

- ☒ A check in the amount of **\$494.00** is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier

Registration No. 25,599

Surinder Sachar

Registration No. 34,423



22850

Customer Number 22850

Tel. (703) 413-3000

Fax. (703) 413-2220

(OSMMN 10/01)

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Docket No. 202720US-2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Guy COLINART, et al.

SERIAL NO: 09/776,688

GAU: 2832

FILED: February 6, 2001

EXAMINER: K. Lee

FOR: HIGH VOLTAGE RESISTANCE, PARTICULARLY FOR CURRENT LIMITATION IN A
MICROWAVE PROGRESSIVE WAVE TUBE EMITTER

REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

It is hereby requested that a two month extension of time be granted to February 12, 2003 for

- ☒ filing a response to the Official Action dated: September 12, 2002
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☐ filing a Notice of Appeal. A timely response to the final rejection, due has been filed.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown below is reduced by one-half.

The required fee of \$410.00 is enclosed herewith by check and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier

Registration No. 25,599



22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)
I:\ATTY\TJM\202720US\AM 3 EOT.doc

Surinder Sachar

Registration No. 34,423

202720US-2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
GUY COLINART ET AL. : EXAMINER: LEE, K. S.
SERIAL NO: 09/776,688 :
RCE FILED: AUGUST 27, 2002 : GROUP ART UNIT: 2832
FOR: HIGH VOLTAGE RESISTANCE, :
PARTICULARLY FOR CURRENT
LIMITATION IN A MICROWAVE
PROGRESSIVE WAVE TUBE
EMITTER

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated September 12, 2002, please consider the remarks below and amend the above-identified patent application as follows:

IN THE CLAIMS

Please cancel Claims 15-17 without prejudice

Please amend Claims 1 and 18 to read as follows:¹

1. (Three Times Amended) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and a thickness e fixed to the support and with a given resistivity ρ ,

¹Marked-Up Copy is attached hereto.

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can resist electrical arcing up to 300°C .

18. (Amended) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and thickness e fixed to the support and with a given resistivity ρ ,

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can resist electrical arcing up to 300°C ,

wherein said resistance is folded on itself.

Please add new Claims 31 and 32 as follows:

31. (New) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and a thickness e fixed to the support and with a given resistivity ρ ,

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can resist electrical arcing, and

wherein the flat conductor is in the shape of a coil.

32. (New) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and thickness e fixed to the support and with a given resistivity ρ ,

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can resist electrical arcing,

wherein said resistance is folded on itself and the flat conductor is in the shape of a coil.

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-14 and 18-32 are presently active in this case. The present amendment amends Claims 1 and 18 and adds new Claims 31 and 32. Claims 15-17 are canceled by way of the present amendment. The above amendment shows the amended claims in clean form, the attachment shows a marked-up copy for the Examiner's convenience.

In the outstanding Office Action Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Roberts (GB 2032460A). Claims 4-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Roberts in view of Sugawara (U.S. 4,553,125). Claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over Roberts in view of Sugawara as applied to Claim 6 above, and further in view of Drekmeier (U.S. 5,581,227). Claims 8-13 and 18-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over Roberts and Sugawara in view of Drekmeier as applied to Claim 7 above, and further in view of Laisi (U.S. 3,645,580).

In response to the Restriction Requirement being made final, Claims 15-17, directed to the non-elected invention, are canceled. Applicants reserve the right to present claims directed to the non-elected inventions in a divisional application, which shall be subject to the prohibition of the third sentence of 35 U.S.C. § 121 against the use of "a patent issuing on an

application with respect to which a requirement for restriction under this section has been made... as a reference... against a divisional application."²

In order to clarify Applicant's invention and to vary the scope of protection recited in the claims, new Claims 31 and 32 are added. New Claims 31 and 32 find support in the disclosure as originally filed. Specifically, new Claim 31 is a combination of claim 1 and 21 and Claim 32 is a combination of claim 18 and 21. New claims 31 and 32 do not have specific temperature limitation regarding resisting electrical arcing. New claims 31 and 32 are not believed to raise a question of new matter.

In response to the rejection of Claims 1-3 under 35 U.S.C. § 102(b), Applicants respectfully traverse these rejections as discussed next.

Claims 1 and 18 have been amended to read "a mass of the flat conductor can resist electrical arcing up to 300°C". The Roberts patent discloses an operating temperature of the disclosed conductor from 20 to 50°C.³ Thus, Roberts does not disclose that "a mass of the flat conductor can resist electrical arcing up to 300°C". In view of the above, the cited prior art fails to teach or suggest every feature recited in Applicants' claims, as amended. Claims 1-14 and 18-30 are thereby believed to be patentably distinguishable over the cited prior art.

Now turning to the rejections of Claims 4-13 and 18-30 under 35 U.S.C. § 103(a), those rejections are also traversed. In light of the discussion above, these rejections are rendered moot. Therefore, even if the combination of applied references is assumed to be proper against the claims as amended, the combination fails to teach every element of the

²See 35 U.S.C. § 121. See also MPEP § 804.01.

³See Roberts page 2, line 24.

claimed invention. Accordingly, Applicants submit that Claims 1-14 and 18-30 patentably distinguish over the prior art.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for a formal allowance. A Notice of Allowance for Claims 1-14 and 18-32 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Finally, the attention of the Patent Office is directed to the change of address of Applicants' representative, effective January 6, 2003:

Oblon, Spivak, McClelland, Maier & Neustadt, P.C.

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Alexandria, VA 22314.

Please direct all future communications to this new address.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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Marked-Up Copy Serial No: <u>09/776,688</u> Amendment Filed on: <u>February 12, 2003</u>

IN THE CLAIMS

Please amend the claims as follows:

--1. (Three Times Amended) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and a thickness e fixed to the support and with a given resistivity ρ ,

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can [resists] resist electrical arcing up to [without exceeding] 300°C .

Claims 15-17 (Canceled).

18. (Amended) A high voltage resistance, comprising:

at least one support and a flat conductor with length L , width ℓ and thickness e fixed to the support and with a given resistivity ρ ,

wherein the value R of the resistance being equal to $\rho L/\ell e$, the value of the length L , width ℓ , and the thickness e being defined such that a mass of the flat conductor can [resists] resist electrical arcing [without exceeding a given temperature] up to 300°C ,

wherein said resistance is folded on itself.--

31-32. (New).